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| | | A DTMENTS TEN A NITS | |
| 14 | Attorneys for Plaintiffs PARK VILLAGE APARTMENTS TENANTS ASSOCIATION, FOSTER, et al. | | |
| 15 | ASSOCIATION, POSTER, et al. | E-FILED | |
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| 16 | UNITED STATES DISTRICT COURT | | |
| _ | NORTHERN DISTRICT OF CALIFORNIA | | |
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| | PARK VILLAGE APARTMENTS | Case No. C-09-4780 EDL | |
| 19 | TENANTS ASSOCIATION, WILLIAM | IOINT DEOLIECT TO COMPINITE | |
| . | FOSTER, SHIRLEY SMITH, ANAHID | JOINT REQUEST TO CONTINUE | |
| 20 | ISSAHAKIAN, PATRICIA JOHNSON, | SETTLEMENT CONFERENCE AND | |
| 21 | MARTIN KOCH, LAWRENCE LEE, | [PROPOSED] ORDER | |
| | FOSTER REUBEN, MARIA LILLIAN | | |
| 22 | SANCHEZ, ALISON WRIGHT and CORNELIUS WEEKLEY, | | |
| 23 | CORNELIUS WEEKLEI, | | |
| 23 | Plaintiffs, | | |
| 24 | Flaminis, | | |
| _ | V | | |
| 25 | V. | | |
| 26 | MORTIMER HOWARD TRUST, | | |
| | MORTIMER R. HOWARD, | | |
| 27 | MONTHULK IN 110 WIND, | | |
| 28 | D.C. 1 | | |
| יצי | Defendants. | | |

Plaintiffs, PARK VILLAGE APARTMENT TENANTS ASSOCIATION, et al. (Plaintiffs) and Defendants, MORTIMER HOWARD TRUST and MORTIMER HOWARD (Defendants), in the above-entitled action, by and through respective counsel, hereby request that the settlement conference with Magistrate Judge Beeler, be continued to a date to be determined by the Court's availability. In an effort to assist the Court and allow sufficient time to come to a final resolution on the remaining issues in the case, the parties would prefer to have the settlement conference reset to a date in August 2012, if possible.

The reasons for this continuance request include:

- 1. The parties are currently engaged in settlement discussions and significant progress has been made toward a final stipulated agreement to make the preliminary injunction upheld by the Ninth Circuit on February 24, 2011 permanent.
- 2. This agreement will be a resolution of all issues and will include a dismissal of the case.
- 3. The parties agree that only a few negotiation points remain and feel it would be more productive at this time to continue settlement negotiations between themselves with the goal of a final resolution.

Having reviewed the Judge Beeler's calendar for available dates, the parties agree that the following dates are acceptable to them:

Monday, August 6, 2012

Tuesday, August 7, 2012

Thursday August 9, 2012

Additionally, Defendants also request that the deadline for filing the answer also be extended to the day before the reset settlement conference date.

RESPECTFULLY SUBMITTED,

BAY AREA LEGAL AID Lisa S. Greif

| 1 | | Naomi Young Robert Capistrano | |
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| 2 | | _ | |
| 3 | | NATIONAL HOUSING LAW PROJECT James R. Grow | |
| 4 | | Kent Qian | |
| 5 | Dated: June 8, 2012 | /s/ Lisa S. Greif | |
| 6 | | Lisa S. Greif | |
| 7 | | Attorneys for Plaintiffs | |
| | | | |
| 8 9 | | SWIHART AND ASSOCIATES Thomas Swihart | |
| 10 | | | |
| 11 | Dated: June 8, 2012 | /s/ Thomas M. Swihart Thomas M. Swihart | |
| 12 | | Attorneys for Defendants | |
| | | | |
| 13 | I hereby attest that I have on file all holograph signatures for any signatures indicated by "conformed" signature (/s/) within this efiled document. | | |
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| 16 | Dated: June 8.2012 | | |
| 17 | Dated. Julie 6.2012 | By: <u>/s/ Lisa S. Greif</u> | |
| 18 | | LISA S. GREIF Attorneys for Plaintiffs | |
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ORDER The Court having read and considered the Parties' request to continue the settlement conference and good cause appearing, IT IS ORDERED that the request is granted. The settlement conference will be reschedule to $\underline{\text{August 7, 2012 at 10:30 a.m}}$ and Defendants' answer will be due on <u>August 6</u>, 2012 The Settlement Conference Order issued on January 24, 2012, ECF No. 84 remains in affect. DATED: June 18, 2012 UNITED STATES DISTRICT JUDGE MAGISTRATE